

AMENDMENT TRANSMITTAL LETTER (SMALL ENTITY)

Ser. No.: 10/801,975	Filed: March 16, 2004	Examiner: Anuradha Ramana
Art Unit: 3733	Title: EXPANDABLE SPHERICAL SPINAL IMPLANT	

To the Commissioner for Patents:

Transmitted herewith is a (an) Amendment in the above-identified application. The fee(s) has (have) been calculated as shown below.

CLAIMS AS AMENDED						
	Claims remaining after amendment		Highest Number Previously Paid For	No. of Extra Claims Present	Rate	Additional Rate
Total Claims	37	Minus	83	0	X \$26	\$0
Indep. Claims	4	Minus	11	0	X \$110	\$0
TOTAL					=	\$0
<input checked="" type="checkbox"/>	No additional fee is believed due however, if this is not the case, the Commissioner is hereby authorized to charge any and all fees to Deposit Account No. 06-0308.					
<input type="checkbox"/>	Payment for the filing of this Amendment and/or any appropriate extension of time fees is/are authorized to be charged to a Credit Card. The appropriate PTO form 2038 is enclosed. If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308. If there are any additional fees required by this communication, please charge same to Deposit Account No. 06-0308.					
<input type="checkbox"/>	Applicant(s) hereby petition(s) the Commissioner under 37 C.F.R. § 1.136(a) and request a Not Applicable month extension of time to respond to the outstanding Office Action.					

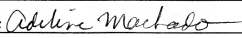
Respectfully submitted,

Fay Sharpe LLP

November 11, 2008

Date


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Certificate of Mailing or Transmission	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being	
<input type="checkbox"/>	deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop None, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
<input checked="" type="checkbox"/>	transmitted to the USPTO by electronic transmission via EFS-Web on the date indicated below.
Express Mail Label No.:	Signature: 
Date: November 11, 2008	Name: Adeline Machado

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Biscup
For : EXPANDABLE SPHERICAL SPINAL IMPLANT
Serial No. : 10/801,975
Filed : March 16, 2004
Examiner : Anuradha Ramana
Group Art Unit : 3733
Date of Last Action : October 17, 2008
Our Docket : MEDR 2 00001

AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In view of the non-final Office Action mailed March 19, 2008 and the Notice of Non-Compliance mailed October 17, 2008, please amend the above referenced patent application as follows: